

**COMMONWEALTH OF KENTUCKY
CITY OF TAYLORSVILLE**

ORDINANCE NO. 343

**AN ORDINANCE DE-ANNEXING A PORTION OF RIVER HEIGHTS ESTATES
FROM THE CITY OF TAYLORSVILLE BOUNDARY**

At the request of Michael & Clayetta Payne, who are the owners of approximately 147.295 acres, which is a portion of River Heights Estates, located in the western part of the City of Taylorsville on KY 44, as more fully described in Plat Cabinet 5, Slide 99, as recorded in the office of the Spencer County Clerk, Taylorsville, Kentucky, which was annexed into the city by Ordinance No. 271, published June 29, 2005, so the 147.295 acres will not be within the city limits of the City of Taylorsville and the City of Taylorsville has considered the request and deems in the best interest of the City to reduce its boundaries as requested.

WHEREAS, pursuant to KRS 81A.440(2), Ordinance #341 Intent to De-Annex a Portion of River Heights Estates from the City of Taylorsville Boundary was enacted on August 13, 2013, and published on August 21, 2013, and,

WHEREAS, pursuant to said statute, the City Clerk sent a copy of said Ordinance by certified mail to the County Judge Executor of Spencer County and more than thirty (30) days has passed and the City did not receive any notice of the County's opposition to the De-Annexation.

THEREFORE, BE IT ORDAINED BY THE CITY OF TAYLORSVILLE as follows:

The 147.295 acres as described in the attached legal description dated June 20, 2012, prepared by John A. St. Clair, PLS #1097 and the accompanying plat dated July 22, 2011, prepared by said John A. St. Clair of the said 147.295 acres, both of which are incorporated by reference herein, be and is hereby De-Annexed and the City's western border is reduced accordingly.



DON PAY, Mayor

ATTESTED BY:



STEPHEN A. BIVEN, City Clerk

Date of First Reading	<u>11-5-13</u>
Date of Second Reading	<u>12-3-13</u>
Date Published	<u>1-1-14</u>

John St. Clair, Land Surveyor
138 Willow Wood Drive
Mt. Washington, Ky. 40047
502-538-6616; cell 502-548-4715
Email; jsaint@windstream.net

Michael and Clayetta Payne
8801 Thixton Lane
Louisville, Ky. 40229

Re: Description of your property in Spencer County, Ky., west of Taylorsville and on the south side of Kentucky Highway 44, at the end of River Heights Boulevard, described as follows;

Beginning at a point in the north line of the city limits of Taylorsville, Ky. as established by Ordinance number 271, said point is located South 44 degrees 20 minutes 16 seconds East, 0.09 feet, from an existing iron rod and cap stamped DEI 3476, being a point on the Western right of way of River Heights Boulevard and being the Southeast corner of Lot 51, River Heights Estates, Section One, Amended, as recorded in Plat Cabinet 2, Slide 387 and 388 in the office of the County Clerk, Spencer County, Kentucky; thence crossing said River Heights Boulevard, South 70 degrees 40 minutes 59 seconds East 60.00 feet to a iron pin set, being a point on the Eastern right of way of River Heights Blvd. and a corner to Lot 52A as shown on a minor plat recorded in Plat Cabinet 3, Slide 224 in the office of the Spencer County Clerk; thence with a curve to the left with a radius of 506.10 feet and a chord bearing of South 18 degrees 32 minutes 12 seconds West, with a chord length of 13.92 feet to a point located South 11 degrees 55 minutes 58 seconds East, 0.19 feet from an existing rod and cap stamped Heinson 3393, being the corner of Lot 52A and Lot 138A;

Thence with Lot 52A, South 42 degrees 09 minutes 47 seconds East 190.32 feet (for South 42 degrees 16 minutes 29 seconds East 189.91 feet) to an iron rod; thence continuing with Lot 52A, North 89 degrees 55 minutes 49 seconds East 226.28 feet (for South 89 degrees 55 minutes 49 seconds East) to a point North 57 degrees 46 minutes 04 seconds East, 0.19 feet from an existing rod and cap stamped Heinson 3393, being the southeast corner of Lot 52A as recorded in Plat Cabinet 3, Slide 224 in the Spencer County clerk's office and being a point in the line of The Gardens at Pin Oak, LLC. as recorded in deed book 207, page 245 (parcel 1);

Thence with the Gardens at Pin Oak, LLC, and the west line of the city limits of Taylorsville, Ky. as established by City of Taylorsville Ordinance number 246, South 30 degrees 46 minutes 44 seconds West 365.82 feet to a point North 63 degrees 21 minutes 13 seconds East, 0.23 feet from an existing rod and cap stamped GSA 329;

Thence continuing with the Gardens at Pin Oak, LLC., South 39 degrees 10 minutes 34 seconds East 1174.22 feet to a point South 48 degrees 04 minutes 37 seconds East 0.26 feet, from an iron pin set as a reference rod;

Thence South 69 degrees 50 minutes 49 seconds West 260.50 feet to a point in a creek located South 40 degrees 14 minutes 16 seconds East 0.03 feet from an existing rod;

Thence South 33 degrees 22 minutes 09 seconds West 182.48 feet to a point in the creek located South 50 degrees 56 minutes 33 seconds West, 0.08 feet from an existing rod with an unreadable cap;

Thence South 17 degrees 19 minutes 53 seconds West 324.14 feet to an existing rod in the creek;

Thence South 01 degrees 31 minutes 50 seconds West 81.58 feet to set rod in the creek;

Thence South 09 degrees 50 minutes 11 seconds East 213.70 feet to set rod in the creek;

Thence continuing with The Gardens At Pin Oak LLC. South 00 degrees 19 minutes 44 seconds East 167.75 feet to an existing rod and cap stamped GSA 329 in the creek, corner to Anna M. Stevens (deed book 40, page 222);

Thence leaving the creek and with the line of Stevens and the south line of the city limits of Taylorsville, Ky. as established by Ordinance number 271, South 73 degrees 25 minutes 24 seconds West 1496.73 feet to a point located North 73 degrees 41 minutes 54 seconds West, 5.84 feet from a witness magnetic nail set in the West side of a 15 inch oak on top of a bluff;

Thence with the line of Stevens and leaving the bluff, South 24 degrees 19 minutes 27 seconds West (passing a set rod at 184.31 feet), in all 254.49 feet to a point, being the low water mark on the North bank of Salt River;

Thence with the low water mark of Salt River, South 85 degrees 00 minutes 23 seconds West 203.94 feet to a point;

Thence South 81 degrees 18 minutes 52 seconds West 234.30 feet to a point;

Thence South 84 degrees 42 minutes 32 seconds West 316.92 feet to a point at the mouth of Boston Branch, corner to Carl and Beulah Monroe (deed book 48, page 636) and being the southwest corner of City of Taylorsville Ordinance number 271;

Thence with the line of Monroe and the west line of Ordinance number 271, North 29 degrees 24 minutes 07 seconds East 71.87 feet to the center of a 6 foot diameter sycamore stump on the East bank of Boston Branch;

Thence North 64 degrees 05 minutes 20 seconds East 163.68 feet to a set rod;

Thence North 06 degrees 16 minutes 24 seconds West 97.52 feet to a magnetic nail set in a 24 inch maple;

Thence North 01 degrees 37 minutes 51 seconds West 210.91 feet to the East side of a 15 inch walnut stump;

Thence North 02 degrees 04 minutes 27 seconds West 170.94 feet to a set rod in a drain;

Thence North 27 degrees 36 minutes 15 seconds East 186.12 feet to a magnetic nail set in the East side of a sycamore, deed corner to Monroe;

Thence continuing with Monroe North 12 degrees 38 minutes 03 seconds East 85.29 feet to the East side of a 26 inch sycamore on the East bank of the creek;

Thence North 22 degrees 52 minutes 10 seconds East 59.22 feet to a 22 inch sycamore stump on the East bank of the creek;

Thence North 00 degrees 55 minutes 05 seconds East 28.00 feet to a magnetic nail set in the East side of a 18 inch hickory in the drain;

Thence North 25 degrees 45 minutes 38 seconds West 114.56 feet to a pole barn nail set in a 14 inch walnut stump ;

Thence North 43 degrees 45 minutes 46 seconds West 297.74 feet to a set rod on the North side of a 24 inch hackberry;

Thence North 19 degrees 57 minutes 59 seconds West 122.98 feet to the East side of a 30 inch sycamore;

Thence North 09 degrees 40 minutes 30 seconds West 120.84 feet to the East side of a 24 inch hickory on the West bank of the creek;

Thence North 14 degrees 51 minutes 12 seconds West 248.82 feet to the East side of a 15 inch walnut stump, deed corner to Monroe;
Thence continuing with Monroe, North 27 degrees 41 minutes 46 seconds West 299.64 feet to a point in a 5 foot diameter sycamore, deed corner to Monroe, being South 36 degrees 37 minutes 38 seconds West, 2.48 feet from a set witness rod;
Thence North 87 degrees 11 minutes 46 seconds West 45.95 feet to a set rod in the creek;
Thence North 08 degrees 06 minutes 33 seconds West 111.86 feet to a point in the creek;
Thence North 23 degrees 19 minutes 26 seconds East 142.61 feet to a point in the creek;
Thence North 01 degrees 03 minutes 15 seconds West 155.94 feet to a point in the creek;
Thence North 36 degrees 09 minutes 30 seconds West 102.01 feet to a point in the creek;
Thence North 08 degrees 06 minutes 56 seconds East 74.40 feet to a point in the creek;
Thence North 17 degrees 40 minutes 43 seconds West 4.48 feet to a point in the creek, being South 51 degrees 40 minutes 17 seconds East, 0.24 feet from an existing leaning rod and cap stamped JFC 3139, and being the southern most corner to lot 60A and 61A of River Heights Estates as revised by minor subdivision plat recorded in Plat Cabinet 4, Slide 280 in the Spencer County Clerk's office;

Thence with Lot 61A and Lot 100A and the north line of City of Taylorsville Ordinance number 271, North 63 degrees 54 minutes 54 seconds East 545.31 feet to an existing rod and cap stamped JFC 3139;
Thence with Lot 100A, North 13 degrees 48 minutes 27 seconds East 121.22 feet to a point, being North 64 degrees 49 minutes 09 seconds East, 0.10 feet from a rod and cap stamped JFC 3139;
Thence North 46 degrees 49 minutes 08 seconds East 250.00 feet to a point, being North 56 degrees 42 minutes 58 seconds East 0.03 feet from a rod and cap stamped JFC 3139, and being the eastern most corner to Lot 101A, as shown on Minor Plat of River Heights Estates and recorded in Plat Cabinet 4. Slide 29 in the Spencer County Clerk's office;
Thence North 47 degrees 22 minutes 49 seconds West 150.00 feet to a point, being North 72 degrees 50 minutes 04 seconds West 0.01 feet from a rod and cap stamped DEI 3476, and being the corner to Lot 101A and Lot 44, River Heights Estates, Amended, as recorded in Plat Cabinet 2, Slide 387 and 388 in the Spencer County Clerk's office;
Thence with River Heights Estates, Amended, North 71 degrees 43 minutes 39 seconds East 261.09 feet to a point, corner to Lot 44 and Lot 45, being South 88 degrees 40 minutes 52 seconds East 0.05 feet from a rod and cap stamped DEI 3476;
Thence North 72 degrees 10 minutes 25 seconds East 167.73 feet to a point, corner to Lot 45 and Lot 46, being North 62 degrees 48 minutes 34 seconds East 0.06 feet from a rod and cap stamped DEI 3476;
Thence North 76 degrees 12 minutes 52 seconds East 174.27 feet to a point in a pond, corner to Lot 46 and Lot 47;
Thence North 85 degrees 51 minutes 52 seconds East 124.09 feet to a point in a pond, corner to Lot 47;
Thence South 79 degrees 13 minutes 32 seconds East 310.71 feet to a point, corner to Lot 48, Lot 49, and Lot 50, being North 64 degrees 17 minutes 58 seconds East 0.07 from a rod and cap stamped DEI 3476;
Thence South 66 degrees 31 minutes 36 seconds East 207.44 feet to set rod, corner to Lot 50 and Lot 51;

Thence continuing with River Height Estates, Amended, South 70 degrees 40 minutes 59 seconds East 254.90 feet to the point of beginning containing 147.293 acres (for 147.295 acres) as per plat titled "Plat for De-Annexation" for Michael and Clayetta Payne dated June 4, 2012 by John A. St. Clair, PLS # 1907.

Being the same property conveyed to Michael and Clayetta Payne by deed book 242, page 528 in the Spencer County clerk's office.

This property was annexed into the City of Taylorsville, Ky. on June 14, 2005 by Ordinance number 271.

Prepared by

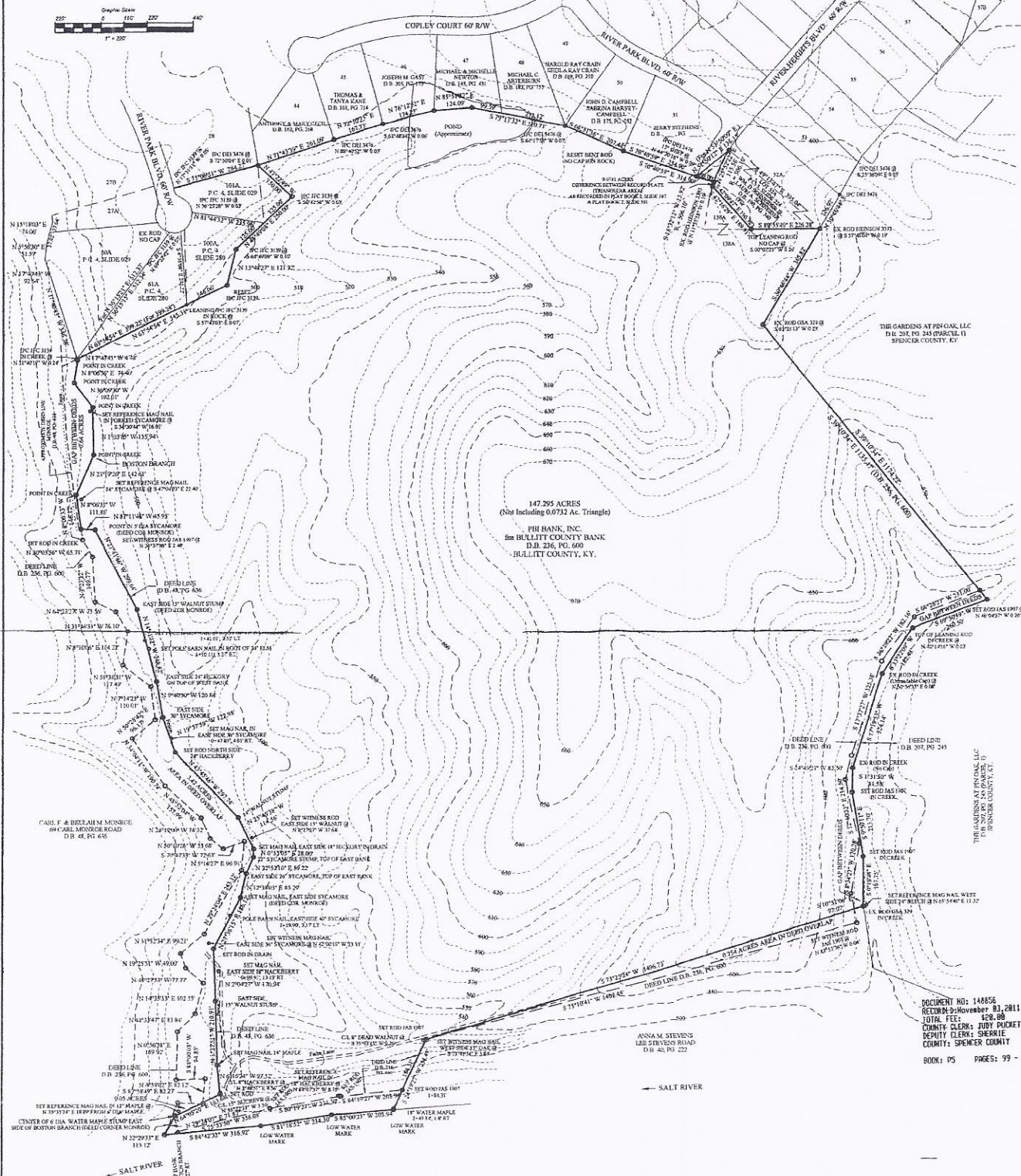
John A. St. Clair
John A. St. Clair, PLS

July 20, 2012





RIVER HEIGHTS ESTATES, AMENDED
SECTION ONE
P.C. 2, SLIDE 387 & 388
SPENCER COUNTY, KY



CONTOURS SHOWN ARE FROM U.S.G.S. QUAD MAPS AND ARE APPROXIMATE ONLY.

I HEREBY CERTIFY THAT I AM THE OWNER OF THE 147.295 ACRE TRACT SHOWN HEREON, BEING A PART OF THE PROPERTY RECORDED IN D.D. 256, P.600 IN THE 25th Precinct, CLERK'S OFFICE AND I DO HEREBY ADOPT THIS PLAN AND SURVEY.

John A. St. Clair
OWNERS
DATE 10/31/11

A PART OF THIS PROPERTY, ALONG SALT RIVER AND BOSTON BRANCH IS LOCATED IN THE 100 YEAR FLOOD PLAIN ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) NUMBERS 21215C0110C & 21215C0113C, DATED AUGUST 03, 2009.

THIS PROPERTY IS SUBJECT TO ALL EASEMENTS AND RIGHT OF WAYS, EITHER APPARENT OR OF RECORD.

I HEREBY CERTIFY THAT THIS PLAN AND SURVEY WAS PERFORMED UNDER MY DIRECTION BY THE METHOD OF RANDOM TRAVERSE WITH SIDE SHOTS AND HAS NOT BEEN ADJUSTED. THE ERROR OF CLOSURE WAS 1 PART IN 10,000 OR BETTER. THE SURVEY AS SHOWN HEREON IS A CLASS "A" SURVEY AND MEETS ALL OF THE SPECIFICATIONS OF THIS CLASS.

John A. St. Clair
JOHN A. ST. CLAIR
P.L.S. 49107



RETRACEMENT SURVEY

FOR
PBI BANK, INC.
2500 EASTPOINT PARKWAY
LOUISVILLE, KY. 40223

BY
JOHN A. ST. CLAIR
138 WILLOW WOOD DRIVE
MT. WASHINGTON, KY. 40047

JULY 22, 2011 SCALE 1"=200'